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JUL 2003

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In re Application of  
GROSS, Helmut, et al : DECISION ON  
Application No.: 10/031,671 :  
PCT No.: PCT/EP01/05524 :  
Int. Filing Date: 15 May 2001 : PETITION UNDER  
Priority Date: 17 May 2000 :  
Attorney Docket No.: QUE04P-311 :  
For: DEVICE FOR DIE CUTTING  
A STACK CONSISTING OF SHEET-  
TYPE MATERIALS : 37 CFR 1.182

This is in response to applicants' submission "RESPONSIVE TO NOTIFICATION OF DEFECTIVE RESPONSE" faxed on 28 October 2002. This submission states that the correct listing of the seventh inventor's first given name is Frank not Horst, and that the published PCT application correctly indicated the first given name of the seventh inventor as Frank. This response is being treated as a petition under 37 CFR 1.182, and the petition fee of \$130.00 has been charged to Deposit Account No.: 16-2463 as stipulated on the communication of 28 October 2002.

### BACKGROUND

On a notification mailed by this Office on 30 September 2002, applicants' request for acceptance of the declaration was not acceptable. The notification stated the name of the seventh named inventor, Horst STEMMER, does not correspond to that set forth in the international application, Frank STEMMER.

On 28 October 2002, applicants' faxed the instant response, which includes an affidavit from Quermann & Richardt describing the clerical error which led to the incorrect name listing of Mr. Frank STEMMER.

### DISCUSSION

The correct name of the seventh inventor is "Frank STEMMER" as published in PCT application WO01/87557 A1. The affidavit indicates that Mr. Schneider's pre-name (sixth inventor) is "Horst" and that the Office of Quermann & Richardt listed in error Mr. Stemmer's

pre-name as "Horst" and not "Frank." The correct name, Frank STEMMER, will be reflected in the US national stage processing.

Applicant's response is accepted as a sufficient response to the Notification of Missing Requirements (FORM PCT/DO/EO/905) mailed on 11 April 2002 and the Notice mailed on 30 September 2002.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.182 is **GRANTED**.

The filing receipt will reflect the correct name of the seventh inventor as "Frank STEMMER" This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing, including the preparation and mailing of a Notification of Acceptance (Form PCT/DO/EO/903). The 35 USC 371 date of this application is **26 APRIL 2002**.



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